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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Warren W. Summerlin,)	CIV 15-02375-PHX-ROS (MHB)
Petitioner,)	ORDER
vs.)	
Charles Ryan, et al.,)	
Respondents.)	

On May 3, 2016, Petitioner filed an *pro se* Amended Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. 2254, raising various claims. (Doc. 11.) In response, Respondents filed a Notice of Lack of Subject Matter Jurisdiction to Consider Petitioner's Second or Successive Petition for Writ of Habeas Corpus, claiming that Petitioner's habeas petition should be dismissed as successive, and that Petitioner has not obtained authorization from the Ninth Circuit Court of Appeals to file a successive petition. (Doc. 18.) In Petitioner's response, he claims that his previous habeas petition related to a different case number in state court ("case # CR-110502"), than the case number of the conviction he challenges in the instant habeas petition ("CR-125325"). (Doc. 21 at 2.)

The Court, not having the documents before it to resolve Petitioner's claim, will order Respondents to file a reply to Petitioner's response, addressing only the issue of whether Petitioner's instant habeas petition raises issues relating to a different case than his previous habeas petition.

Wherefore,

IT IS ORDERED that Respondents, on or before November 28, 2016, file a reply to Petitioner's response to Respondents' Notice of Lack of Subject Matter Jurisdiction to Consider Petitioner's Second or Successive Petition for Writ of Habeas Corpus, just addressing the issue discussed herein.

IT IS FURTHER ORDERED that no further responses/replies be filed until further order of the Court.

DATED this 17th day of November, 2016.

Michelle H. Burns

Michelle H. Burns
United States Magistrate Judge